

Substitute for Form PTO-1350		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				10/511555 33771-006	
INTERNATIONAL APPLICATION NO. PCT/US03/11633		INTERNATIONAL FILING DATE April 16, 2003		U.S. APPLICATION NO. (If known, see 37 CFR 1.55) 10/511,555	
TITLE OF INVENTION		PRIORITY DATE CLAIMED April 16, 2002			
LUMINOUS CEMENTITIOUS COMPOSITION AND METHODS OF MAKING AND USING THE SAME					
APPLICANT(S) FOR DO/EO/US THOMAS D. BEIMEL					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<p>1. <input type="checkbox"/> This is a FIRST submission to items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>					
Items 11 to 21 below concern document(s) or information included:					
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information: _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>					

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <div style="text-align: center;">10/511,555</div>	INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/US03/11633</div>	ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">033771-006</div>
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21. <input checked="" type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: <u>THOMAS D. BEIMEL</u> <u>BROOKVILLE, PA 15825</u> 	CALCULATIONS PTO USE ONLY
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 22. ☒ The following fees are submitted:

Basic Filing Fee (1631)					
Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	-20 =	0	X \$50.00 (1615)	\$ 0.00	
Independent Claims	- 3 =	0	X \$200.00 (1614)	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00 (1616)	
Examination Fee				+ \$200.00 (1633)	
Search Fee				+ \$500.00 (1632)	
App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)					
TOTAL OF ABOVE CALCULATIONS =				\$ 130.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$ 65.00
SUBTOTAL =				\$ 65.00	
Processing fee of \$130.00 (1618) for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00	
TOTAL NATIONAL FEE =				\$ 65.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property +					
TOTAL FEES ENCLOSED =				\$ 65.00	
				Amount to be refunded :	
				charged :	

 a. ☒ A check in the amount of \$ 65.00 to cover the above fees is enclosed.
 b. ☐ Please charge my Deposit Account No. 02-4800 in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
 c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.
 d. ☐ Charge _____ to credit card. Form PTO-2038 is attached.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Burns, Doane, Swecker & Mathis, L.L.P.
 P.O. Box 1404
 Alexandria, Virginia 22313-1404
 (703) 836-6620

SIGNATURE

MARTIN A. BRUEHS

NAME

10/06/2005 LLANDERA 00000080 10511555

01 FCt2617 65.00 DP

45,635 September 30, 2005

REGISTRATION NO. DATE



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/511,555	Thomas D Beimel	033771-006

INTERNATIONAL APPLICATION NO.

PCT/US03/11633

I.A. FILING DATE	PRIORITY DATE
04/16/2003	04/16/2002

Burns Doane Swecker & Mathis
 P O Box 1404
 Alexandria, VA 22313-1404

CONFIRMATION NO. 2308
 371 FORMALITIES LETTER
 OC000000016911771
 OC000000016911771

Date Mailed: 09/01/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/18/2004
- Copy of the International Search Report filed on 10/18/2004
- Preliminary Amendments filed on 10/18/2004
- Oath or Declaration filed on 10/18/2004
- Request for Immediate Examination filed on 10/18/2004
- U.S. Basic National Fees filed on 10/18/2004
- Priority Documents filed on 10/18/2004
- Specification filed on 10/18/2004
- Claims filed on 10/18/2004

MAB

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
 RECEIVED

SEP - 6 2005
 9/6/05
 DOCKETED

MISS. Parts due
 9-1-05

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,555	PCT/US03/11633	033771-006